

EPA Reg # 3474-1090



May 8, 2014

Document Processing Desk (REGFEE)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S Crystal Drive
Arlington VA 22202

Subject: Final Printed Label for DYNA-SHIELD® FOOTHOLD® VIROCK EPA Reg. No. 34704-1090; 100 %
Repack of [REDACTED]

Dear Venus Eagle,

Loveland Products, Inc. is submitting the final printed label (FPL) for DYNA-SHIELD® FOOTHOLD® VIROCK EPA Reg. No. 34704-1090 per the EPA sigend approved label (SAL) requirement dated April 30, 2014.

Please find the following enclosed:

1. Application for Registration, Form 8570-1
2. 1 Printed copies of proposed label

If you have any questions, please do not hesitate to contact me at (970) 685-3389 or by email:
Lisa.nichols@cpsagu.com.

Sincerely,

Lisa Nichols
Registration Specialist
Lisa.nichols@cpsagu.com
Loveland Products, Inc.

Enclosures

Product ingredient source information may be entitled to confidential treatment

EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.

GROUP	3	4	12	FUNGICIDE
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GROUP	4A	INSECTICIDE
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FOOTHOLD[®]

Virock

NOT REVIEWED
In Accordance with PR Notice 82-2
Based on Draft Labeling Dated

SEED TREATMENT FOR EARLY SEASON PROTECTION OF SEEDLINGS AGAINST INSECT INJURY AND SOILBORNE DISEASES FOR BARLEY AND WHEAT.

ACTIVE INGREDIENTS:

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine	11.16%
Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester	0.60%
Tebuconazole: Alpha-[2-4(chlorophenyl)ethyl]-alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1	0.45%
Fludioxonil: 4-(2,2-Difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile	0.36%

OTHER INGREDIENTS:	87.43%
TOTAL	100.00%

Contains:

- 1.00 pound Imidacloprid per gallon (120.0 grams per liter)
- 0.05 pound Metalaxyl per gallon (6.4 grams per liter)
- 0.04 pound Tebuconazole per gallon (4.8 grams per liter)
- 0.03 pound Fludioxonil per gallon (3.84 grams per liter)

KEEP OUT OF REACH OF CHILDREN CAUTION/ PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID

If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • DO NOT induce vomiting unless told to do so by the poison control center or doctor. • DO NOT give anything to an unconscious person.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.
FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-866-944-8565.

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. NO. 34704-1090

EPA EST. NO. 228-IL-002

NET CONTENTS 2.5 GAL (9.46 L)

043014 V1D 04G14

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION / PRECAUCIÓN**

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves (such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride (PVC), Viton).

Note: Persons involved in bagging treated seed, sewing or moving bags of treated seed, or cleaning up bagging areas or seed treatment equipment are pesticide handlers and must wear the PPE required on this label for pesticide handlers.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

PHYSICAL AND CHEMICAL HAZARDS

DO NOT place product near or allow product to come into contact with strong oxidizing substances (such as potassium permanganate).

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to birds and aquatic invertebrates. This pesticide is toxic to fish. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Exposed treated seeds may be hazardous to birds. Cover or incorporate spilled treated seeds.

Imidacloprid is highly toxic to bees. Ensure that planting equipment is functioning properly in accordance with manufacturer specifications to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.

Groundwater Advisory: Metalaxyl is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water is:

- Coveralls
- Chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinylchloride (PVC) or Viton.
- Shoes plus socks.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on an imidacloprid label, or any crop for which a tolerance exists for the active ingredient, as soon as practical following the last application. The following plant-back intervals must be observed for listed crops.

Rotational Plant-Back Intervals*

Immediate Plant-Back			30-Day Plant-Back
Artichoke	Flax	Rapeseed	Cereals, including
Barley	Groundcherry	Rye	buckwheat
Borage	Leafy petiole vegetables	Safflower	rice
Brassica (cole) leafy vegetables	Leafy vegetables	Sorghum	
Bulb vegetables	Legume vegetables (succulent	Soybean	
Canola	or dried, including Soybean)	Strawberry	
Cilantro	Millet	Sugarbeet	
Corn, Field	Mustard seed	Sunflower	
Corn, Sweet	Oats	Tomatillo	
Cotton	Okra	Tomato	
Cranberry	Pepinos	Triticale	
Crambe	Pepper	Root and Tuber vegetables	
Cucurbits	Popcorn	Watercress	
Eggplant	Potato	Wheat	

* Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed.

* For all other crops not listed on an imidacloprid label, or for crops for which no tolerance for the active ingredient has been established, a 12-month plant-back interval should be observed.

Notification of the crop rotational restriction must be conveyed to the grower by appropriate seed tag labeling or bag printing on all seed units.

USE RESTRICTIONS

- **DO NOT** use as a planter (hopper) box treatment.
- **DO NOT** use treated seed for feed, food, or oil purposes.
- Store treated seed away from feeds and foodstuffs.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- The maximum application rate for imidacloprid (including seed treatments, foliar applications, soil applications) is 0.5 pound per acre per year.
- **DO NOT** apply more than 0.5 pound active ingredient imidacloprid per acre per year.
- Treated seed must be planted into the soil at a depth greater than 1 inch.
- Exposed treated seed may be hazardous to birds. Cover or incorporate spilled treated seed. Excess or leftover seed may be double-sown around the headland or buried away from bodies of water in accordance with local requirements.

SEED TREATMENT

This product is a combination of Imidacloprid insecticide and a mixture of the fungicides Metalaxyl, Tebuconazole, and Fludioxonil. When used on listed crops, the fungicide mixture in this product provides more consistent control when disease pressure is high. This product aids in the control or suppression of the following insects, seed, seedling and soilborne diseases of barley and wheat.

DYNA-SHIELD® FOOthold® VIROCK™
EPA REG. NO. 34704-1090

Crop	Insect / Disease Control	Rate
Barley	Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid) and Wireworms. Disease Control: Seed decay caused by Aspergillus, Penicillium, and other species. Early season disease control of Pythium damping-off and Covered smut, Loose smut, Barley stripe (suppression), early season Rhizoctonia root rot, early season Common root rot, early season Fusarium foot rot, early season suppression of Powdery mildew and early season suppression of Barley leaf rust.	3.4 to 5.0 fl oz/100 lb of seed
Wheat	Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid), Wireworms and Hessian fly. Disease Control: Seed decay caused by Aspergillus, Penicillium, and other species. Early season disease control of Pythium damping-off, Stinking smut, Flag smut, Loose smut, early season Septoria disease complex, early season Rhizoctonia root rot, early season Common root rot, early season Fusarium foot rot, early season suppression of Powdery mildew and early season suppression of Wheat leaf rust.	

Application Directions: Apply prior to planting as a slurry treatment. This product is to be used in liquid or slurry treaters only. Mix thoroughly before use or use entire container at one time. Ensure thorough coverage. All tank mixes should be pre-tested to determine physical compatibility between formulations. Follow the most restrictive precautions and limitations on the labeling of all products used in mixtures.

Restrictions: **DO NOT** graze or feed livestock on treated areas for 45 days after planting.

SEED BAG LABELING REQUIREMENTS

Seed commercially treated with this product must be labeled in accordance with all applicable requirements of the Federal Seed Act. The user of this product is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act.

THE FEDERAL SEED ACT REQUIRES THAT BAGS CONTAINING TREATED SEEDS BE LABELED WITH THE FOLLOWING STATEMENTS:

- This seed has been treated with DYNA-SHIELD® FOOthold® VIROCK™ (imidacloprid, metalaxyl, tebuconazole, fludioxonil).
- **DO NOT** use for feed, food, or oil purpose.

THE US ENVIRONMENTAL PROTECTION AGENCY REQUIRES THE FOLLOWING STATEMENTS ON BAGS CONTAINING SEEDS TREATED WITH DYNA-SHIELD FOOthold VIROCK (imidacloprid, metalaxyl, tebuconazole, fludioxonil):

- **Pollinator Precautions:** Imidacloprid is highly toxic to bees. Ensure that planting equipment is functioning properly in accordance with manufacturer specifications to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.
- **Groundwater Advisory:** Metalaxyl is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.
- Store away from feeds and foodstuffs.
- Wear long-sleeved shirt, long pants and chemical resistant gloves when handling treated seed.
- Treated seed must be planted into the soil at a depth greater than 1 inch.
- Exposed treated seed may be hazardous to birds. Cover or incorporate spilled treated seeds. Excess or leftover seed may be double-sown around the headland or buried away from bodies of water in accordance with local requirements.
- Dispose of seed packaging in accordance with local requirements.
- **DO NOT** graze or feed livestock on treated areas for 45 days after planting.
- **DO NOT** contaminate water bodies when disposing of planting equipment wash water.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- In the event of a crop failure or harvest of a crop grown from Dyna-Shield Foothold Virock treated seed, the field may be replanted immediately to artichoke, barley, borage, Brassica (cole) leafy vegetables, bulb vegetables, canola, cilantro, corn (field or sweet), cotton, cranberry, crambe, cucurbits, eggplant, flax, groundcherry, leafy petiole vegetables, leafy vegetables, legume vegetables (succulent or dried including soybean), millet, mustard seed, oats, okra, pepinos, pepper, popcorn, potato, rapeseed, rye, safflower, sorghum, soybean, strawberry, sugarbeets, sunflower, tomatillo, tomato, triticale, root and tuber vegetables, watercress, and wheat. For cereals including buckwheat and rice, the minimum plant-back interval is 30 days from the date Dyna-Shield Foothold Virock treated seed was planted. Cover crops for soil building or erosion control may be planted at any time, but do not graze or harvest for food or feed. For all other crops not listed on an imidacloprid label, or for crops for which no imidacloprid tolerance for the active ingredient has been established, a 12-month plant-back interval must be observed.
- The maximum application rate (including seed treatment, foliar application, and soil application) per acre per year for imidacloprid is 0.5 pound.
- This seed has been treated with X lbs imidacloprid, X lbs metalaxyl, X lbs tebuconazole, X lbs fludioxonil per X lbs of seed [or X mg per seed].
- Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticides remain in the ethanol by-products that are used in agronomic practice.

DYNA-SHIELD® FOOHOLD® VIROCK™
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Note: If this product is undyed, the purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as a food for man or feed for animals. Refer to 21 CFR, Part 2.25. Any dye added to treated seed must be cleared for use under 40 CFR, Part 180.1001.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool place, **DO NOT** store in direct sunlight. Protect from freezing temperatures.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

A. Nonrefillable container. Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact The Agricultural Container Recycling Council (ACRC) at www.acrecycle.org. If not recycled, then puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

B. For packages up to 5 gallons: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

C. For packages greater than 5 gallons: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

D. For refillable containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC – 1-800-424-9300.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVELAND PRODUCTS, INC. or the seller is authorized to vary in any way.

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. Box 1286, GREELEY, CO 80632-1286.

DYNA-SHIELD® Foothold® Virock™
EPA REG. NO. 34704-1090

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.

Dyna-Shield and Foothold are registered trademarks and Virock is a trademark of Loveland Products Inc.

FORMULATED FOR
LOVELAND PRODUCTS, INC.
P.O. BOX 1286, GREELEY, COLORADO 80632-1286

Urbanski, Jennifer

From: Nichols, Lisa <Lisa.Nichols@cpsagu.com>
Sent: Wednesday, May 14, 2014 6:20 PM
To: Urbanski, Jennifer
Subject: RE: 34704-1090-Dyna-Shield Foothold Virock Data Requirements; Storage Stability and Corrosion Characteristics

Hi Jenn,
Yes, that is correct.
Best regards,
Lisa

Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [mailto:urbanski.jennifer@epa.gov]
Sent: Monday, May 12, 2014 6:46 AM
To: Nichols, Lisa
Subject: RE: 34704-1090-Dyna-Shield Foothold Virock Data Requirements; Storage Stability and Corrosion Characteristics

Hi Lisa, just to confirm, you're using the exact same packaging as [REDACTED] just adding your label to the outside, correct? Thanks!

Jenn

From: Nichols, Lisa [mailto:Lisa.Nichols@cpsagu.com]
Sent: Thursday, May 08, 2014 12:07 PM
To: Urbanski, Jennifer
Subject: 34704-1090-Dyna-Shield Foothold Virock Data Requirements; Storage Stability and Corrosion Characteristics

Dear Jenn,

The recent registration approval for product 34704-1090-Dyna-Shield Foothold Virock informed us of the unsatisfied data requirements for Storage Stability and Corrosion Characteristics.

This product is a 100% repack of [REDACTED]

Please let me know if this information satisfies the requirement for our repacked product.

Product ingredient source information may be entitled to confidential treatment

Best regards,
Lisa

Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



IMPORTANT NOTICE ! This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art anti-virus technology on all incoming and outgoing E-Mail. We encourage and promote the use of safe E-Mail management practices and recommend you check this, and all other E-Mail and attachments you receive for the presence of viruses. The sender and Agrium accept no liability for any damage caused by a virus or otherwise by the transmittal of this E-Mail.

Material Sent for Data Extraction

Reg. # 134704-1090

Description: Reg Notice

☒ Material(s) Sent to Data Extraction Contractors:

☒ New Stamped Label Dated 4/30/14

☐ Notification Dated _____

☐ New CSF(s) Dated _____

☐ Other: _____

☐ Decision #: _____

☐ Other Action/Comments: _____

File this coversheet and attached materials in the jacket. It must be well organized and clipped together, NOT STAPLED. Then give the jacket with the coversheet and materials to staff in the Information Services Center (ISC) (Room S-4900). If a jacket is full or only available as an image, please file materials in a new jacket and bring it down to the (ISC). For further information please call 703-605-0716.

Reviewer: Jennifer Urbanski

Phone: 347-0156 Division: RD

Date: 4/30/14



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

34704-1090

Date of Issuance:

APR 30 2014

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Dyna-Shield Foothold Virock

Name and Address of Registrant (include ZIP Code):

Loveland Products Inc.
P.O. Box 1286
Greeley, CO 80632

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data. You must comply with the following DCIs:
 - a. Imidacloprid GDCI-129099-951, issued on November 10, 2010
 - b. Fludioxonil GDCI-071503-1243, issued on December 5, 2012
 - c. Metalaxyl GDCI-113501-869, issued on June 17, 2011

If you have questions about the Generic DCIs issued, please contact the appropriate reviewer from the Pesticide Reevaluation Division. This information can be found on the following webpage: http://www.epa.gov/oppsrrd1/contacts_prd.htm.

Signature of Approving Official:


Venus Eagle, Product Manager 01
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

APR 30 2014

2. The data requirements for storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) are not satisfied. A one year study is required to satisfy these data requirements. You have 18 months from the date of registration to provide these data.
3. Make the following label changes before you release the product for shipment:
 - Revise the EPA Registration Number to read, "EPA Reg. No. 34704-1090."
4. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Please also note that the record for this product currently contains the following CSF:

- Basic CSF, dated 3/14/14

If you have any questions, please contact Dr. Jennifer Urbanski at 703-347-0156 or urbanski.jennifer@epa.gov.

Venus Eagle
Product Manager 01
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

DYNA-SHIELD® FOOthold® VIROCK™

Seed Treatment

FOR EARLY SEASON PROTECTION OF SEEDLINGS AGAINST INSECT INJURY
AND SOILBORNE DISEASES FOR BARLEY AND WHEAT

ACTIVE INGREDIENTS:

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine.....	11.16%
Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester.....	0.60%
Tebuconazole: Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1...	0.45%
Fludioxonil: 4-(2,2-Difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile.....	0.36%

OTHER INGREDIENTS: 87.43%

TOTAL: 100.0%

Contains:

1.00 pound Imidacloprid per gallon (120.0 grams per liter)

0.05 pound Metalaxyl per gallon (6.4 grams per liter)

0.04 pound Tebuconazole per gallon (4.8 grams per liter)

0.03 pound Fludioxonil per gallon (3.84 grams per liter)

KEEP OUT OF REACH OF CHILDREN

CAUTION/ PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY
STATEMENTS

EPA Reg. No. 34704-XXXX

EPA Est. No. 228-IL-002

NET CONTENTS: 2.5 GALLONS

ACCEPTED

APR 30 2014

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:

EPA. Reg. No: 34704-10910

FIRST AID	
If Swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • DO NOT induce vomiting unless told to do so by the poison control center or doctor. • DO NOT give anything to an unconscious person.
If in Eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If Inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth- to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-866-944-8565	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION / PRECAUCIÓN

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves (such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride (PVC), Viton).

Note: Persons involved in bagging treated seed, sewing or moving bags of treated seed, or cleaning up bagging areas or seed treatment equipment are pesticide handlers and must wear the PPE required on this label for pesticide handlers.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users Should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

PHYSICAL AND CHEMICAL HAZARDS

DO NOT place product near or allow product to come into contact with strong oxidizing substances (such as potassium permanganate).

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to birds and aquatic invertebrates. This pesticide is toxic to fish. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Exposed treated seeds may be hazardous to birds. Cover or incorporate spilled treated seeds.

Imidacloprid is highly toxic to bees. Ensure that planting equipment is functioning properly in accordance with manufacturer specifications to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.

Groundwater Advisory: Metalaxyl is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water is:

- Coveralls
- Chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinylchloride (PVC) or Viton.
- Shoes plus socks.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on an imidacloprid label, or any crop for which a tolerance exists for the active ingredient, as soon as practical following the last application. The following plant-back intervals must be observed for listed crops.

ROTATIONAL PLANT-BACK INTERVALS*				
IMMEDIATE PLANT-BACK				30-DAY PLANT-BACK
Artichoke	Crambe	Oats	Soybean	Cereals, including buckwheat rice
Barley	Cucurbits	Okra	Strawberry	
Borage	Eggplant	Pepinos	Sugarbeet	
Brassica (cole) leafy vegetables	Flax	Pepper	Sunflower	
Bulb vegetables	Groundcherry	Popcorn	Tomatillo	
Canola	Leafy petiole vegetables	Potato	Tomato	
Cilantro	Leafy vegetables	Rapeseed	Triticale	
Corn, Field	Legume vegetables	Rye	Root and Tuber vegetables	
Corn, Sweet	(succulent or dried, including Soybean)	Safflower	Watercress	
Cotton		Sorghum	Wheat	
Cranberry	Millet			
	Mustard seed			

* Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed.

* For all other crops not listed on an imidacloprid label, or for crops for which no tolerance for the active ingredient has been established, a 12-month plant-back interval should be observed.

NOTIFICATION of the crop rotational restriction must be conveyed to the grower by appropriate seed tag labeling or bag printing on all seed units.

USE RESTRICTIONS

- **DO NOT** use as a planter (hopper) box treatment.
- **DO NOT** use treated seed for feed, food, or oil purposes.
- Store treated seed away from feeds and foodstuffs.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- The maximum application rate for imidacloprid (including seed treatments, foliar applications, soil applications) is 0.5 lbs per acre per year. **DO NOT** apply more than 0.5 lbs. active ingredient imidacloprid per acre per year.
- Treated seed must be planted into the soil at a depth greater than 1 inch.
- Exposed treated seed may be hazardous to birds. Cover or incorporate spilled treated seed. Excess or leftover seed may be double-sown around the headland or buried away from bodies of water in accordance with local requirements.

SEED TREATMENT

This product is a combination of Imidacloprid insecticide and a mixture of the fungicides Metalaxyl, Tebuconazole, and Fludioxonil. When used on listed crops, the fungicide mixture in this product provides more consistent control when disease pressure is high. This product aids in the control or suppression of the following insects, seed, seedling and soilborne diseases of Barley and Wheat.

CROP	INSECT / DISEASE CONTROL	RATE
Barley	Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid) and Wireworms. Disease Control: Seed decay caused by Aspergillus, Penicillium, and other species. Early season disease control of Pythium damping-off and Covered smut, Loose smut, Barley stripe (suppression), Early season Rhizoctonia root rot, Early season common root rot, Early season Fusarium foot rot, Early season suppression of powdery mildew and Early season suppression of barley leaf rust.	3.4 to 5.0 fluid ounces per 100 pounds of seed
Wheat	Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid), Wireworms and Hessian fly. Disease Control: Seed decay caused by Aspergillus, Penicillium, and other species. Early season disease control of Pythium damping-off, Stinking smut, Flag smut, Loose smut, Early season Septoria disease complex, Early season Rhizoctonia root rot, Early season common root rot, Early season Fusarium foot rot, Early season suppression of powdery mildew and early season suppression of wheat leaf rust.	

APPLICATION DIRECTIONS: Apply prior to planting as a slurry treatment. This product is to be used in liquid or slurry treaters only. Mix thoroughly before use or use entire container at one time. Ensure thorough coverage. All tank mixes should be pre-tested to determine physical compatibility between formulations. Follow the most restrictive precautions and limitations on the labeling of all products used in mixtures.

RESTRICTIONS: **DO NOT** graze or feed livestock on treated areas for 45 days after planting.

SEED BAG LABELING REQUIREMENTS

Seed commercially treated with this product must be labeled in accordance with all applicable requirements of the Federal Seed Act. The user of this product is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act.

THE FEDERAL SEED ACT REQUIRES THAT BAGS CONTAINING TREATED SEEDS BE LABELED WITH THE FOLLOWING STATEMENTS:

- This seed has been treated with DYNA-SHIELD® FOOTHOLD® VIROCK™ (imidacloprid, metalaxyl, tebuconazole, fludioxonil).
- **DO NOT** use for feed, food, or oil purpose.

THE US ENVIRONMENTAL PROTECTION AGENCY REQUIRES THE FOLLOWING STATEMENTS ON BAGS CONTAINING SEEDS TREATED WITH DYNA-SHIELD FOOTHOLD VIROCK (imidacloprid, metalaxyl, tebuconazole, fludioxonil):

- **Pollinator Precautions:** Imidacloprid is highly toxic to bees. Ensure that planting equipment is functioning properly in accordance with manufacturer specifications to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.
- **Groundwater Advisory:** Metalaxyl is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.
- Store away from feeds and foodstuffs.
- Wear long-sleeved shirt, long pants and chemical resistant gloves when handling treated seed.
- Treated seed must be planted into the soil at a depth greater than 1 inch.
- Exposed treated seed may be hazardous to birds. Cover or incorporate spilled treated seeds. Excess or leftover seed may be double-sown around the headland or buried away from bodies of water in accordance with local requirements.
- Dispose of seed packaging in accordance with local requirements.
- **DO NOT** graze or feed livestock on treated areas for 45 days after planting.
- **DO NOT** contaminate water bodies when disposing of planting equipment wash water.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- In the event of a crop failure or harvest of a crop grown from DYNA-SHIELD FOOTHOLD VIROCK treated seed, the field may be replanted immediately to artichoke, barley, borage, Brassica (cole) leafy vegetables, bulb vegetables, canola, cilantro, corn (field or sweet), cotton, cranberry, crambe, cucurbits, eggplant, flax, groundcherry, leafy petiole vegetables, leafy vegetables, legume vegetables (succulent or dried including soybean), millet, mustard seed, oats, okra, pepinos, pepper, popcorn, potato, rapeseed, rye, safflower, sorghum, soybean, strawberry, sugarbeets, sunflower, tomatillo, tomato, triticale, root and tuber vegetables, watercress, and wheat. For cereals including buckwheat, and rice, the minimum plant-back interval is 30 days from the date DYNA-SHIELD FOOTHOLD VIROCK treated seed was planted. Cover crops for soil building or erosion control may be planted at any time; but do not graze or harvest for food or feed. For all other crops not listed on an imidacloprid label, or for crops for which no imidacloprid tolerance for the active ingredient has been established, a 12-month plant-back interval must be observed.

- The maximum application rate (including seed treatment, foliar application, and soil application) per acre per year for imidacloprid is 0.5 lbs.
- This seed has been treated with X lbs imidacloprid, X lbs metalaxyl, X lbs tebuconazole, X lbs fludioxonil per X lbs of seed [or X mg per seed].
- Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticides remain in the ethanol by-products that are used in agronomic practice.

NOTE:

If this product is undyed, the purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as a food for man or feed for animals. Refer to 21 CFR, Part 2.25. Any dye added to treated seed must be cleared for use under 40 CFR, Part 180.1001.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool place, **DO NOT** store in direct sunlight. Protect from freezing temperatures.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

A Nonrefillable container. Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact The Agricultural Container Recycling Council (ACRC) at www.acrecycle.org. If not recycled, then puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

B For packages up to 5 gallons: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

C For packages greater than 5 gallons: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container $\frac{1}{4}$ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

D For refillable containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC – 1-800-424-9300.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY
BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVELAND PRODUCTS, INC. or the seller is authorized to vary in any way.

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. Box 1286, GREELEY, CO 80632-1286.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.

Dyna-Shield and Foothold are registered trademarks, and Virock is a trademark of Loveland Products Inc.

FORMULATED FOR
LOVELAND PRODUCTS, INC.
P.O. BOX 1286, GREELEY, COLORADO 80632-1286

Urbanski, Jennifer

From: Nichols, Lisa <Lisa.Nichols@cpsagu.com>
Sent: Monday, April 28, 2014 1:24 PM
To: Urbanski, Jennifer
Subject: RE: Dyna-Shield (34704-RNON)
Attachments: 034704-XXXX Dyna-Shield Foothold Virock CSF_LPIdated_042814.pdf

Hi Jenn,
My apologies! Please see the attached.
Best regards,
Lisa

Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [mailto:urbanski.jennifer@epa.gov]
Sent: Monday, April 28, 2014 11:17 AM
To: Nichols, Lisa
Subject: RE: Dyna-Shield (34704-RNON)

Hi Lisa, just noticed that your CSF isn't dated—can you send me a dated version? Thanks!

From: Nichols, Lisa [mailto:Lisa.Nichols@cpsagu.com]
Sent: Thursday, April 24, 2014 3:43 PM
To: Urbanski, Jennifer
Subject: RE: Dyna-Shield (34704-RNON)

Jenn,
Thanks again for your guidance and communication on this repack. I appreciate your time.
Please see the attached. I think we are on the same page now—please let me know if that is not the case.
One additional edit that I made, was I realized that the original version of the label I sent had the incorrect First Aid phone number. The original submitted was 1-800, I revised it in the attached to the correct 1-866.

Best regards,
Lisa

Lisa Nichols
Registration Specialist

Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [<mailto:urbanski.jennifer@epa.gov>]
Sent: Thursday, April 24, 2014 11:41 AM
To: Nichols, Lisa
Subject: RE: Dyna-Shield (34704-RNON)

The language from the label review manual indicates that the language you're using for D is for refillable containers (even though you don't mean it that way). In addition, the label you're citing has two size categories, below 5 gal and above 5 gal, not three like you're proposing. Letter E can stay, it applies to all refillable containers and is consistent with the cited label. Basically, keep A, B, and E (but change the letter to D so it makes sense), delete D, and change the title in C to read "For packages greater than 5 gallons".

From: Nichols, Lisa [<mailto:Lisa.Nichols@cpsagu.com>]
Sent: Thursday, April 24, 2014 1:37 PM
To: Urbanski, Jennifer
Subject: RE: Dyna-Shield (34704-RNON)

Jenn,
Sounds good.

I sincerely apologize but I have a couple additional questions to make sure I understand what needs to be removed and why.

The 'refillable' statement is letter E, not D: Which I will remove per your request.

E For refillable containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Letter D is this statement:

D For packages greater than 56 gallons: To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Do I need to remove letter D? It does apply to non-refillable containers. If I do not need to remove then I think keeping the language as is on letter C does make sense as it provides the guidance for container size. "**For packages greater than 5 gallons and less than 56 gallons:**"

Thank you and best regards,
Lisa
Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [<mailto:urbanski.jennifer@epa.gov>]
Sent: Thursday, April 24, 2014 11:27 AM
To: Nichols, Lisa
Subject: RE: Dyna-Shield (34704-RNON)

Email would be perfect, thanks!

From: Nichols, Lisa [<mailto:Lisa.Nichols@cpsagu.com>]
Sent: Thursday, April 24, 2014 1:26 PM
To: Urbanski, Jennifer
Subject: RE: Dyna-Shield (34704-RNON)

Hi Jenn,
Great. Can I resubmit the label to you via PDF over email or do you need me to send another hard and electronic copy to you via Fed-EX?
Thank you!
Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [<mailto:urbanski.jennifer@epa.gov>]
Sent: Thursday, April 24, 2014 11:24 AM

To: Nichols, Lisa
Subject: RE: Dyna-Shield (34704-RNON)

Hi Lisa, great timing! The PM just got back with me, and she's ok with you keeping your language, except for letter D. The language (which again is for REFILLABLE containers, when you indicated that this would be for NONREFILLABLE containers) should be deleted and letter C should be revised to read "For packages greater than 5 gallons". This will make your label and your 100% repack label more similar. Thanks!

From: Nichols, Lisa [<mailto:Lisa.Nichols@cpsagu.com>]
Sent: Thursday, April 24, 2014 1:22 PM
To: Urbanski, Jennifer
Subject: RE: Dyna-Shield (34704-RNON)

Hi Jennifer,
I hope your week is going well so far. I wanted to follow up with you on the storage/disposal language for this product per our discussion last week. Please let me know if you need anything from me at this time to keep the process moving forward.
Thank you and best regards,
Lisa

Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [<mailto:urbanski.jennifer@epa.gov>]
Sent: Wednesday, April 16, 2014 5:45 AM
To: Nichols, Lisa
Subject: RE: Dyna-Shield (34704-RNON)

Hey Lisa, I can chat with the PM to see what she thinks, but typically the language is the same at the cited label for 100% repacks (unless a site is being dropped off). Regardless, I think the way you have the storage and disposal section set up now is confusing so we would likely have to change it anyway (again, the language in D is for refillable containers, not non-refillable containers, and we would have to adjust the section overall to show that section A would always be included with B and C (and D when the language is changed to non-refillable container language). So either you can change the storage and disposal to match the product you're citing or I can talk to the PM and we can try to adjust your proposed storage and stability for clarity. Thoughts? Thanks!

From: Nichols, Lisa [<mailto:Lisa.Nichols@cpsagu.com>]
Sent: Tuesday, April 15, 2014 12:24 PM
To: Urbanski, Jennifer
Subject: RE: Dyna-Shield (34704-RNON)

Hi Jenn,

Thank you for the note back. I tried to give you a call this morning to discuss, but I know how tricky it is to catch someone at their desk. If you do have a second today to give me a call back, great, if not email works! Also, I should have prefaced our dialog with, I'm new to product registrations, so excuse my asking a lot of questions! The explanation you provided below was helpful for me to understand the discrepancy. Here is my understanding and an additional question so that hopefully we can clear this up. I was not aware that the storage and disposal language on a repack had to be in identical format. Our company uses the Storage and Disposal language as it appears in the on the label I submitted per company policy. We designed our statement this way, as it follows the label review manual and has been approved by EPA and therefore provides consistently across our products. As for the A, B, C, D...Yes, A is a generic 'nonrefillable container' statement, as is E for 'refillable' containers. These statements are applied in conjunction with whichever container size statement applies, B, C or D. It is applied using the below logic.

For Disposal follow the instructions for your container size and type in the following table:

CONTAINER SIZE FOLLOW INSTRUCTION IN SECTIONS

Disposable containers: 1 qt to 5 gal A and B

Disposable containers: 5 gal to 56 gal A and C

Disposable containers: larger than 56 gal A and D

Returnable containers (any size) E

I understand what you are referring to in the [REDACTED] label, where they combine their refillable/Nonrefillable and container size statements specific to the product. I recognize that this is different than how our label formats the information. This is the point at which I'm wondering if there is a requirement that I am not aware of or remembering when it comes to repack labels. Is there a specific requirement that I am not aware of where the format of the storage and disposal statement has to be identical to the original product and/or the language has to be 100% identical for a 100% repack? If so, I will resubmit a label where the statements are identical. If not, it is our preference to uphold consistency with the storage and disposal statement format across our products (repacks and otherwise), however if you feel it would be more correct to copy the format of the [REDACTED] statement for this product I can resubmit a label where the statements are identical. Please let me know your thoughts and I will take the appropriate action asap.

Best regards,
Lisa

Lisa Nichols
Registration Specialist
Loveland Products, Inc.
3005 Rocky Mountain Ave.
Loveland, Co 80538
970-685-3389-direct
970-518-5638-mobile
970-685-3911-fax



From: Urbanski, Jennifer [<mailto:urbanski.jennifer@epa.gov>]
Sent: Tuesday, April 15, 2014 5:07 AM
To: Nichols, Lisa
Subject: RE: Dyna-Shield (34704-RNON)

Product ingredient source information may be entitled to confidential treatment

Hi Lisa, the language I'm referring to on your label that is not on the cited label is section A, section D, and the pressure rinse part in section B. As this is a 100% repack, I assume you're just placing your label on the container instead of [REDACTED]. The way your storage and disposal section is written, it seems like you have different containers than the [REDACTED] product. Also the general way the sections are labeled doesn't make sense. Section A seems like generic non-refillable language (although the language is different than the [REDACTED] label), and it should always accompany Sections B and C (and D?), but the formatting doesn't indicate that. Also, the formatting suggests that Section D is also for non-refillable containers but the language is standard for refillable containers and is not on the [REDACTED] label. Follow this link to see the [REDACTED] label I'm using for a comparison: [REDACTED]

From: Nichols, Lisa [<mailto:Lisa.Nichols@cpsagu.com>]

Sent: Monday, April 14, 2014 4:03 PM

To: Urbanski, Jennifer

Subject: RE: Dyna-Shield (34704-RNON)

Hi Jennifer,
I hope you had a great weekend.

Again, I apologize that I couldn't get back to you immediately last week on this.
Upon review of the original [REDACTED] label and the label I submitted for the repack, the only language missing on our label that is on the [REDACTED] label is:

[REDACTED]

Is this what you are referring to? The Storage and Disposal statement as included on our label is our standard language that covers all of the 'multiple' container scenarios; as the [REDACTED] S and D section language above refers to.

Please let me know if you have a moment to discuss today or tomorrow, or feel free to call me at any time when it is convenient to you. 970-685-3389-direct.

Thank you and best regards,

Lisa

Lisa Nichols

Registration Specialist

Loveland Products, Inc.

3005 Rocky Mountain Ave.

Loveland, Co 80538

970-685-3389-direct

970-518-5638-mobile

970-685-3911-fax



From: Urbanski, Jennifer [<mailto:urbanski.jennifer@epa.gov>]

Sent: Thursday, April 10, 2014 6:49 AM

To: Nichols, Lisa

Subject: Dyna-Shield (34704-RNON)

Hi Lisa, I'm looking at your 100% repack now. The language on your proposed label is exactly the same as the cited product (as it should be), EXCEPT for the storage and disposal section. Was this a mistake or was it intentional? The way the new language reads, it appears that your product will be in different containers than the cited product. Thanks for the clarification!

Best,
Jenn

Jennifer Urbanski, Ph.D., Biologist
Insecticide-Rodenticide Branch, S7221
Registration Division (7505P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
(703) 347-0156

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

SIMILARITY CLINIC MEMORANDUM:

Subject: EPA Reg. No.: 34704-RNON/Dyna-Shield Foothold Virock
DP Barcode: 418977
PC Code: 129099 (imidacloprid), 113501 (metalaxyl),
128997 (tebuconazole), 071503 (fludioxonil)

From: Marianne Lewis, Biologist
Insecticides/Rodenticides Branch
Registration Division (7505P)

Marianne Lewis
JCR *3/31/14*

To: Venus Eagle, PM 1
Rodenticide-Insecticide Branch
Registration Division (7505P)

Applicant: Loveland Products, Inc.
P.O. Box 1286
Greeley, CO 80632-1286

FORMULATION FROM EPA Reg. No. 34704-RNON LABEL:

	<u>% by wt.</u>
<u>Active Ingredient(s):</u>	
Imidacloprid:	11.16%
Metalaxyl:	0.60%
Tebuconazole:	0.45%
Fludioxonil:	0.36%
<u>Inert Ingredient(s):</u>	<u>87.43%</u>
Total	100.00%

BACKGROUND: The registrant is claiming substantial-similarity to EPA Reg. No. [REDACTED] to support the registration of their new product, EPA Reg. No. 34704-RNON. The subject product is a 100% repack of [REDACTED]. Based on the acute toxicity profile for EPA Reg. No. [REDACTED] the following acute toxicity categories will be assigned to the subject product: acute oral (81-1) – III; acute dermal (81-2) – IV; acute inhalation (81-3) – IV; primary eye irritation (81-4) – IV; primary skin irritation (81-5) – IV; skin sensitization (81-6) – non sensitizer.

RECOMMENDATIONS:

- The subject product will be assigned the Toxicity Categories listed above to support the registration of EPA Reg. No. 34704-RNON.

The acute toxicity profile for EPA Reg. No. 34707-RNON is currently:

Acute Oral	III
Acute Dermal	IV
Acute Inhalation	IV
Primary Eye	IV
Primary Dermal	IV
Skin sensitization	non sensitizer

NOTE: The acute toxicity requirements have been satisfied for the subject product.

LABELING:

ID #: 034704-RNON DYNA SHIELD FOOTHOLD VIROCK

SIGNAL WORD: **CAUTION**

HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

May be harmful if swallowed. Wear long sleeved shirt and long pants, shoes, socks.

FIRST AID:

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything by mouth to an unconscious person.


Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.

USER SAFETY RECOMMENDATIONS:

User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

United States EPA Environmental Protection Agency Washington, DC 20460		<input checked="" type="checkbox"/> Registration <input type="checkbox"/> Amendment <input type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 34704-XXXX		2. EPA Product Manager Venus Eagle	
4. Company/Product (Name) Dyna-Shield Foothold Virock		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Loveland Products Inc. P.O. Box 1286 Greeley, CO 80632-1286 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	
Section - II			
<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input checked="" type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.	
Explanation: Use additional page(s) if necessary. (For Section I and Section II.) New Registration: New Product Registration for DYNA-SHIELD® FOOTHOLD® VIROCK; 100 % Repack of _____ <div style="text-align: center; padding: 10px;"> <p>*Product ingredient source information may be entitled to confidential treatment*</p> </div>			
Section - III			
1. Material This Product Will Be Packaged In:			
Child Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5 GAL	
		5. Location of Label Directions <input type="checkbox"/> On Label <input checked="" type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Other _____ <input type="checkbox"/> Stenciled			
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Lisa Nichols Lisa.nichols@cpsagu.com		Title Registration Specialist	Telephone No. (Include Area Code) (970) 685-5389
Certification			6. Date Application Received (Stamped)
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.			
2. Signature 			
4. Typed Name Lisa Nichols Lisa.nichols@cpsagu.com		3. Title Registration Specialist	
		5. Date 3/17/2014	



March 14, 2014

Document Processing Desk (REGFEE)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 54900, One Potomac Yard
2777 S Crystal Drive
Arlington VA 22202

Subject: New Product Registration for DYNA-SHIELD® FOOTHOLD® VIROCK; 100 % Repack of [REDACTED]

Dear Venus Eagle,

Loveland Products, Inc. is submitting an application for a "Me-Too" registration. The LPI product is DYNA-SHIELD® FOOTHOLD® VIROCK, a 100 % Repack of [REDACTED]

Please find the following enclosed:

1. Application for Registration, Form 8570-1
2. 1 copy of CSF, Form 8570-4
3. 1 copy of Formulator's Exemption Statement, Form 8570-27
4. 1 Printed copies of proposed label
5. 1 CD containing an electronic version of the proposed label
6. 1 Certification with Respect to Label Integrity
7. 1 copy of the label for the currently registered product, EPA Reg. No. [REDACTED]
8. 1 receipt for payment: PRIA No. R300\$1506/-

If you have any questions, please contact me at (970) 685-3389 or by email:
Lisa.nichols@cpsagu.com.

If you have any questions, please contact me at (970) 685-3389 or by email:
Lisa.nichols@cpsagu.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Nichols", with a stylized flourish at the end.

Lisa Nichols
Registration Specialist
Lisa.nichols@cpsagu.com
Loveland Products, Inc.

Enclosures

EPAUnited States
Environmental Protection Agency

Washington, DC 20460

United States Formulator's Exemption Statement
(40 CFR 152.85)

Applicant's Name and Address

Loveland Products Inc.

P.O. Box 1286

Greeley, CO 80632-1286

EPA File Symbol/Registration Number

34704-XXXX

Product Name

Dyna-Shield Foothold Virock

Date of Confidential Statement of Formulation (EPA Form 8570-4)

Basic-

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

Imidacloprid

Metalaxyl

Tebuconazole

Fludioxonil

(2) Of these, each ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).

(3) Indicate by checking (A) or (B) below which paragraph applies:

☒ (A) An accurate Confidential Statement of Formula (EPA FORM 8570-4) for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).**OR**☐ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, and accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

Source

Ingredient Active	Ingredient Name	Ingredient EPA Reg No
Imidacloprid		
Metalaxyl		
Tebuconazole		
Fludioxonil		

Product ingredient source information may be entitled to confidential treatment

Signature



Name and Title

Lisa Nichols, Registration Specialist

Lisa.nichols@cpsagu.com

Date

3/17/2014

Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic File Name
34704-XXXX	3/17/2014	34704-XXXX Dyna-Shield Foothold Virock (Sativa IMF Max).pdf

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.



Signature

3/17/2014

Date

Lisa Nichols

Name

Registration Specialist

Title

Lisa.nichols@cpsagu.com

EMail

21-Day Screen Completed by
Contractor

21-Day Expires on 4-8-14

Jacket # 34704-RNON
MRID#

Content Screen: Recommend to Pass/Fail

11-3 Review: Pass/Fail/NA

Overall Status: Recommend to Pass/Fail

Transfer This Jacket to:

STEPHEN SCHAIBLE

Fee for Service

¹⁵
{949133%~

This package includes the following

- ☒ New Registration
- ☐ Amendment

- ☐ Studies? ☐ Fee Waiver?
- ☐ volpay % Reduction: ____

for Division

- ☐ AD
- ☐ BPPD
- ☒ RD

Risk Mgr. 1

Receipt No.

S- 949133

EPA File Symbol/Reg. No.

34704-RNON

Pin-Punch Date:

3/18/2014

- ☐ This item is NOT subject to FFS action.

Action Code:

Requested: R300

Granted: R300

Amount Due: \$ 1506.00

Parent/Child Decisions:



Inert Cleared for Intended Use



Uncleared Inert in Product

Reviewer: *[Signature]*

Date: 3/19/14

Remarks:

100% response

*SEND TO SIMU
CLINIC*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 19, 2014

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

OPP Decision Number: D-488760
EPA File Symbol or Registration Number: 34704-RNON
Product Name: DYNA-SHIELD FOOTHOLD VIROK
EPA Receipt Date: 18-Mar-2014
EPA Company Number: 34704
Company Name: LOVELAND PRODUCTS, INC.

LISA NICHOLS
LOVELAND PRODUCTS, INC.
PO BOX 1286
GREELEY, CO 80632-1286

SUBJECT: Receipt of Registration Application Subject to Registration Service Fee

Dear Registrant:

The Office of Pesticide Programs has received your application and certification of payment. If you submitted data with this application, the results of the PRN-2011-3 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action has been identified as Action Code: R300
NEW PRODUCT;OR SIMILAR COMBINATION PRODUCT (ALREADY REGISTERED) TO AN IDENTICAL OR SUBSTANTIALLY SIMILAR IN COMPOSITION AND USE TO A REGISTERED PRODUCT;REGISTERED SOURCE OF ACTIVE INGREDIENT;NO DATA REVIEW ON ACUTE TOXICITY, EFFICACY OR CRP - ONLY PRODUCT CHEMISTRY DATA;CITE-ALL DATA CITATION, OR SELECTIVE DATA CITATION WHERE APPLICANT OWNS ALL REQUIRED DATA, OR APPLICANT SUBMITS SPECIFIC AUTHORIZATION LETTER FROM DATA OWNER;CATEGORY ALSO INCLUDES 100% RE-PACKAGE OF REGISTERED END-USE OR MANUFACTURING-USE PRODUCT THAT REQUIRES NO DATA SUBMISSION NOR DATA MATRIX;

No additional payment is due at this time.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman at (703) 308-9362.

Sincerely,

Front End Processing Staff

Information Technology & Resources Management Division

PRIA 3 – 21 Day Content Screen Review Worksheet

(EPA/OPP Use Only)

September 2012

21 Day Screen Start Date: 3-18-14

Experts In-Processing Signature: B.B. Date 3-20-14 Fee Paid: Yes ☒

Division management contacted on issues No ☐ Yes ☐ Date _____

EPA Reg. Number: <u>34704-RNON</u>		EPA Receipt Date: <u>3-18-14</u>				
Items for Review				Yes	No	N/A*
1	Application Form (EPA Form 8570-1) signed & complete including package type			X		
2	Confidential Statement of Formula all boxes completed, form signed, and dated (EPA Form 8570-4)			X		
	a) All <u>inerts</u> , including fragrances, approved for the proposed uses (see Footnote A)		yes	no		
	* <u>NO inerts to review</u>					
3	Certification with Respect to Citation of Data (EPA Form 8570-34) completed and signed (N/A if 100% repack)					X
	Certificate and data matrix consistent					
	If applicant is relying on data that are compensable, is the offer to pay statement included. (see Footnote B)		yes	no		
	If applicable, is there a letter of Authorization for exclusive use only.					
4	Formulator's Exemption Statement (EPA Form 8570-27) completed and signed (N/A if source is unregistered or applicant owns the technical)			X		
	Data Matrix (EPA Form 8570-35) both internal and external copies (PR 98-5) completed and signed (N/A if 100% repack)					X
5	a) Selective Method (Fee category experts use)		yes	no		
	b) Cite-All (Fee category experts use)					
	c) Applicant owns all data (Fee category experts use)					
6	5 Copies of Label (<u>Electronic labels on CD</u> are encouraged and guidance is available)			X		
7	Is the data package consistent with PR Notice 86-5					X
8	Notice of Filing included with petitions					X

9	If applicable for conventional applications, <u>reduced risk rationale</u>			X
	<u>Required Data</u> and/or data waivers. See Footnote C.			
10	a) List study (or studies) not included with application			

Comments:

- * No study submitted with application
- * 100% repack, no inerts to review
- * Jacket PASS ED

Em

MRID: NO STUDY

* N/A – Not Applicable

Footnotes

A. During the 21 day initial content review, all CSFs will be reviewed to determine whether all inerts listed, including fragrances, are approved for the proposed uses or have an application pending with the Agency. If an unapproved inert with no application pending with the Agency is identified, the applicant must either 1) resolve the inert issue by, for example, removing the inert, substituting it with an approved inert, submitting documentation that EPA approved the inert for the proposed pesticidal uses, correcting mistakes on the CSF, etc. or 2) provide the data to support OPP approval of the inert or 3) withdraw the application. Removing or substituting an inert ingredient will require a new CSF and may require submission of data. All information, forms, data and documentation resolving the inert issue must have been received by the Agency or the application withdrawn within the 21 day period, otherwise, the Agency will reject the application as described below.

To successfully complete this aspect of the 21 day initial content screen, applicants are **strongly encouraged** to verify that all inert ingredients have been approved for the application's uses or have an application pending with the Agency **even if a product is currently registered** by consulting the [inert Web site](#) and if the inert is not approved nor has an application pending with the Agency, to **obtain the necessary inert approval prior to submitting an application to register a pesticide product containing that inert ingredient**. Some inert ingredients are no longer approved for food uses or certain types of uses. The name and/or CAS number on a CSF must match the name and CAS number on this web site. Simple typographical errors in the name or CAS number have resulted in processing delays.

If an inert is not listed on the inert ingredient web site and the applicant believes that the inert has been approved, the applicant should contact the Inert Ingredient Assessment Branch (IIAB) at inertsbranch@epa.gov and resolve the issue. Copies of the correspondence with IIAB resolving the issue should accompany the application. All new inerts except PIP inerts are reviewed by IIAB. The IIAB should also be contacted for any questions on what supporting data needs to be submitted for and the Agency's inert review process. Questions on PIP inerts should be directed to the [Chief of Microbial Pesticides Branch](#).

When a brand, trade, or proprietary name of an inert ingredient is listed on a CSF, additional information such as an alternate name of the inert, CAS number or other information must also be included to enable the Agency to determine if it has been approved. Each component of an inert mixture (including a fragrance) must be identified. In some cases, the supplier of the mixture or fragrance may need to provide this information to the Agency. Prior to the Agency's receipt of an application, applicants must arrange with a proprietary mixture or fragrance supplier to provide the component information to the Agency or promptly upon EPA's request. If the inert ingredients in a proprietary blend (including fragrances) cannot or are not identified or provided within the 21-day content review period, the Agency will reject the application.

During the 21 day content review, applicants should submit information to the individual identified by the Agency when the applicant is informed of an unapproved inert.

Unapproved Inerts Identified on CSFs

All applications except conventional new products and PIPs

Once an unapproved inert is identified on a CSF, the Agency will contact the applicant with the following options:

1. Correct the application by, for instance, correcting the inert's identity or CAS number, providing documentation that the inert has been approved, or removing the unapproved inert from the CSF or replacing it with one that is approved for the application's uses; or
2. Provide the required information necessary to identify an inert approval application that is pending with the Agency; or
3. Submit the information and data needed for the Agency to approve the unapproved inert. If this option is selected and implemented, the Agency may request an extension in the PRIA decision review timeframe to accommodate the inert review/approval process;
4. Withdraw the application (the Agency retains 25% of the full fee for the fee category estimated); or

If none of these options is selected and implemented by the applicant within the 21 day content review period, the Agency will reject the application and retain 25% of the full fee of the category identified.

Conventional New Product Applications

When the Registration Division identifies an unapproved inert on a CSF with an application for a new product that the applicant has not identified as requiring an inert approval (R300 or R301), it will contact the applicant with the following options:

1. Correct the application by, for instance, correcting the inert's identity or CAS number, providing documentation that the inert has been approved, or removing the unapproved inert from the CSF or replacing it with one that is approved for the application's uses; or
2. Submit the information and data needed for the Agency to approve the unapproved inert, including any required petition to establish or amend a tolerance or exemption from a tolerance. (This option may change the PRIA category for the application, which could require a longer decision review time and a larger fee. If additional fees are due, they must be received by the Agency within the 21 day content review period.)

3. Withdraw the application (the Agency retains 25% of the full fee for the fee category estimated); or

If none of the above options is selected and implemented during the 21-day content-review period, the Agency will reject the application and retain 25% of the appropriate fee for the new product-inert approval category.

PIP Applications

When the Biopesticide and Pollution Prevention Division identifies an unapproved inert on a PIP CSF and a request to approve the inert does not accompany the application, it will contact the applicant with the following options:

1. Correct the application by, for instance, correcting the spelling or name of the inert to that in 40 CFR 174, or providing documentation that the inert has been approved; or
2. Submit the information and data needed for the Agency to approve the unapproved inert. If an inert ingredient tolerance exemption petition is required, the petition must be received by the Agency and the B903 fee paid within the 21 day period. If this option is selected and implemented, the Agency will discuss harmonizing the timeframe for both actions.
3. Withdraw the application (the Agency retains 25% of the full fee for the fee category estimated); or

If none of the above options is selected and implemented during the 21 day content review period, the Agency will reject the application and retain 25% of the fee.

B. A policy on documentation of offers to pay is still being developed, however, for a me-too or fast track (similar/identical) new product, R300 or A530, an application without the necessary authorizations of offers to pay will be placed into either R301 or A531. The Agency recommends that authorizations of offers to pay be submitted with other PRIA applications to avoid delays in the Agency's decision.

C. Biopesticide applicants are advised to contact the Agency and discuss study waivers prior to submitting their application to the Agency. Documentation of such discussions should be submitted with the study waiver.

Nichols, Lisa

From: paygovadmin@mail.doc.twai.gov
Sent: Thursday, March 13, 2014 2:48 PM
To: Nichols, Lisa
Subject: Pay.gov Payment Confirmation: PRIA Service Fees

Your payment has been submitted to Pay.gov and the details are below. If you have any questions or you wish to cancel this payment, please contact Pay.gov Customer Service by phone at (800) 624-1373 or by email at pay.gov.clev@clev.frb.org.

Application Name: PRIA Service Fees
Pay.gov Tracking ID: 25EQ0TAE
Agency Tracking ID: 74585240911
Transaction Type: Sale
Transaction Date: Mar 13, 2014 4:48:26 PM

Account Holder Name: Anna Lisa Angerami
Transaction Amount: \$1,506.00
Billing Address: 3005 Rocky Mountain Avenue
City: Loveland
State/Province: CO
Zip/Postal Code: 80538
Country: USA
Card Type: Visa
Card Number: *****5100

Decision Number:
Registration Number: unknown
Company Name: Loveland Products, Inc
Company Number: 34704
Action Code: R300

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

